

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RICARDO CRUZ SERRANO, Plaintiff,	:	
	:	
	:	
v.	:	Civil No. 5:23-cv-03443-JMG
	:	
THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i> ,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 17th day of January 2024, upon consideration of Plaintiff's Complaint (ECF No. 1), **IT IS HEREBY ORDERED** that the above captioned case is **TRANSFERRED** to the United States District Court for the District of Puerto Rico.¹

¹ Under 28 U.S.C. § 1391(b), "a civil action may be brought in (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action." 28 U.S.C. § 1391(b).

"The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought." 28 U.S.C. § 1406(a).

Here, the Complaint contains allegations against the Commonwealth of Puerto Rico and the Puerto Rico State Police. All defendants reside in Puerto Rico, not the Eastern District of Pennsylvania. Likewise, all of the allegations contained in the Complaint occurred in Puerto Rico. The Eastern District of Pennsylvania is not a proper venue under 28 U.S.C. § 1391(b)(1), nor is it a proper venue under 28 U.S.C. § 1391(b)(2). Because the United States District Court for the District of Puerto Rico is a proper venue under 28 U.S.C. § 1391(b)(1)-(2), the Court does not address whether it has personal jurisdiction over any defendants.

BY THE COURT:

/s/ John M. Gallagher

JOHN M. GALLAGHER

United States District Court Judge

The Court transfers the case to the United States District Court for the District of Puerto Rico, as it is a proper venue where the case could have been brought.